



PUBLIC NOTICE

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FILING WINDOW FOR NEW RURAL DIGITAL LOW POWER TELEVISION AND TV TRANSLATOR APPLICANTS DISPLACED BY INCENTIVE AUCTION AND STATION REPACK DECEMBER 2, 2019 TO JANUARY 31, 2020

The Media Bureau hereby announces a window filing opportunity for pending new rural digital low power and TV translator stations (LPTV/translator stations) displaced by the Incentive Auction and station repack to amend their applications to specify a new channel between 2 to 36 (in core channels).¹ **The window will open today, December 2, 2019, and close on January 31, 2020 at 11:59 pm ET.**

In 2009, the Media Bureau began accepting applications for new rural digital LPTV/translator stations on a limited basis and then later froze those filings.² The Media Bureau suspended processing of these applications due to the possibility that they could be displaced by the forthcoming Incentive Auction and repacking process.³ With the completion of the Incentive Auction and the progress made in the post-Incentive Auction transition, it is appropriate to give these applicants an opportunity to amend their applications to specify a new digital in core channel.⁴

To be eligible to file in this window, the applicant must have a pending application for a new digital LPTV/translator station that was displaced by the Incentive Auction and repacking process. In order to be considered “displaced” for purposes of filing in this window, an LPTV/translator applicant must: (1) be subject to displacement by a full power or Class A television station on the repacked

¹ See *In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567 (2014) (*Incentive Auction R&O*) (subsequent history omitted); *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786 (2017) (*Closing and Channel Reassignment Public Notice*).

² See *Commencement of Rural, First-Come, First-Served Digital Licensing*, Public Notice, 24 FCC Rcd 8911 (MB 2009) (*Rural Filing PN*); *Freeze on the Filing of Applications for New Digital Low Power Television and TV Translator Stations*, Public Notice, 25 FCC Rcd 15120 (MB 2010); *Initiation of Nationwide First-Come, First-Served Digital Licensing for Low Power Television and TV Translators Postponed Until Further Notice*, Public Notice, 25 FCC Rcd 8179 (MB 2010) (*Freeze PN*). Applications were first accepted for “rural areas” defined as specifying transmitting antenna site coordinates (geographic latitude and longitude) located more than 121 kilometers (75 miles) from the reference coordinates of the cities listed in Appendix A of the Public Notice. See *Rural Filing PN*, 24 FCC Rcd at 8912 and Appendix A.

³ See *Freeze PN*, 25 FCC Rcd at 8179 (“To permit the Commission to evaluate its reallocation and repacking proposals and their impact on future licensing of low power television facilities, the Media Bureau deems it appropriate to postpone nationwide digital licensing for low power television and TV translator stations until further notice.”).

⁴ The Incentive Auction closed on April 13, 2017. See *Closing and Channel Reassignment Public Notice*, *supra* at n.1.

television band (channels 2-36) as a result of the Incentive Auction and repacking process,⁵ (2) have proposed a frequency repurposed for new, flexible use by a 600 MHz Band wireless licensee, or (3) have proposed a frequency that will serve as part of the 600 MHz Band guard bands (which includes the duplex gap).⁶

In addition to specifying a new in core digital channel, applicants may modify their technical specifications provided such changes do not result in a change in transmitter site of more than 48 kilometers from the reference coordinates specified in their original application.⁷ To preserve the “rural” filing restriction in the original 2009 window, amended facilities must specify transmitting antenna site coordinates (geographic latitude and longitude) located more than 121 kilometers (75 miles) from the reference coordinates of the cities listed in Appendix A of this Public Notice.⁸ The proposed facilities may not cause interference to the predicted service of licenses and valid construction permits for full power television, Class A television and LPTV/translator stations nor the predicted service of any previously-filed application for any of these services. Eligible applicants may file an amendment to their pending application and such filing will be treated as a minor amendment provided it complies with these restrictions. There is no fee for filing this amendment.

All amendments submitted during the window will be considered filed on the last day of the window. Mutually exclusive (MX) applicants will be given an opportunity to resolve their MX through settlement or engineering amendment that may be submitted during a settlement window to be announced by the Media Bureau by separate public notice.⁹ If two or more applications remain MX with one another after the close of the settlement window, the applications will be subject to the Commission’s competitive bidding rules.¹⁰

Applications that are not amended to specify an in core channel during this window will be subsequently dismissed.¹¹

Additional Information. For additional information or questions, please contact Mark Colombo (technical), Mark.Colombo@fcc.gov, (202) 418-7611 or Shaun Maher (legal), Shaun.Maher@fcc.gov, (202) 418-2324 of the Video Division, Media Bureau.

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⁵ With respect to the TV bands, the Commission’s rules define displacement as a “digital low power television or television translator station . . . causing or receiving interference or [being] predicted to cause or receive interference to or from an authorized TV broadcast station, DTV station or allotment or other protected station or service” See 47 CFR § 74.787(a)(4).

⁶ See 47 CFR § 73.3700(g)(1); *Incentive Auction R&O*, 29 FCC Rcd at 6836, para. 659.

⁷ See 47 CFR §§ 76.53 (reference points list) and 74.787(a)(4) (digital displacement).

⁸ See *supra* n. 2.

⁹ The Communications Act provides that the Commission shall use engineering solutions, negotiation, threshold qualifications, and other means to avoid mutual exclusivity where the Commission determines that doing so would serve the public interest. See 47 U.S.C. § 309(j)(6)(E).

¹⁰ Consistent with Section 309(j) of the Communications Act, our rules require resolution of mutual exclusivity through competitive bidding. See 47 C.F.R. § 73.5000, *et seq.*

¹¹ See 47 CFR § 73.3568(a).

APPENDIX A

Amendments filed during the window to allow applicants for new digital low power television and television translator stations on channels 37 to 51 (out of core channels) to specify a channel between 2 and 36 (in core channels) may not propose facilities located within 121 kilometers (75 miles) of the reference coordinates listed below for the following cities. Source of cities: January 1, 2008 Nielsen Media Research Estimates. Source of coordinates: Section 76.53 of the Commission's Rules.

DMA RANKING	MARKET	NORTH LATITUDE	WEST LONGITUDE
1	New York City, New York	40-45-06	073-59-39
2	Los Angeles, California	34-03-15	118-14-28
3	Chicago, Illinois	41-52-28	87-38-22
4	Philadelphia, Pennsylvania	39-56-58	75-9-21
5	Dallas/Fort Worth, Texas	32-47-09	096-47-37
6	San Francisco, California	37-46-39	122-24-40
7	Boston, Massachusetts	42-21-24	71-3-25
8	Atlanta, Georgia	33-45-10	84-23-37
9	Washington, District of Columbia	38-53-51	77-0-33
10	Houston, Texas	29-45-26	95-21-37
11	Detroit, Michigan	42-19-48	83-2-57
12	Phoenix, Arizona	33-27-12	112-4-28
13	Tampa, Florida	27-56-58	82-27-26
14	Seattle, Washington	47-36-32	122-20-12
15	Minneapolis, Minnesota	44-58-57	93-15-43
16	Miami, Florida	25-46-37	80-11-32
17	Cleveland, Ohio	41-29-51	81-41-50
18	Denver, Colorado	39-44-58	104-59-22
19	Orlando, Florida	28-32-42	81-22-38
20	Sacramento, California	38-34-57	122-23-34
21	St. Louis, Missouri	38-37-45	90-12-22
22	Pittsburgh, Pennsylvania	40-26-19	80-0-0
23	Portland, Oregon	45-31-6	122-40-35
24	Baltimore, Maryland	39-17-26	76-36-45
25	Charlotte, North Carolina	35-13-44	80-50-45
26	Indianapolis, Indiana	39-46-7	86-9-46
27	San Diego, California	32-42-53	117-9-21
28	Raleigh, North Carolina	35-46-38	78-38-21
29	Hartford, Connecticut	41-46-12	72-40-49
30	Nashville, Tennessee	36-9-33	86-46-55
31	Kansas City, Missouri	39-4-56	94-35-20
32	Columbus, Ohio	39-57-47	83-0-17
33	Cincinnati, Ohio	39-6-7	84-30-35
34	Milwaukee, Wisconsin	43-2-19	87-54-15
35	Salt Lake City, Utah	40-45-23	111-51-26
36	Greenville, South Carolina	34-50-50	82-24-1
37	San Antonio, Texas	29-25-37	98-29-6
38	West Palm Beach, Florida	26-42-36	80-3-5
39	Grand Rapids, Michigan	42-58-3	85-40-13
40	Birmingham, Alabama	33-31-1	86-48-36
41	Harrisburg, Pennsylvania	40-15-43	76-52-59

42	Norfolk, Virginia	36-51-10	76-17-21
43	Las Vegas, Nevada	36-10-20	115-8-37
44	Albuquerque, New Mexico	35-5-1	106-39-5
45	Oklahoma City, Oklahoma	35-28-26	97-31-4
46	Greensboro, North Carolina	36-4-17	79-47-25
47	Memphis, Tennessee	35-8-46	90-3-13
48	Louisville, Kentucky	38-14-47	85-45-49
49	Jacksonville, Florida	30-19-44	81-39-42
50	Buffalo, New York	42-52-52	78-52-21
51	Austin, Texas	30-16-9	97-44-37
52	Providence, Rhode Island	41-49-32	71-24-41
53	New Orleans, Louisiana	29-56-53	90-4-10
54	Scranton, Pennsylvania	41-24-32	75-39-46
55	Fresno, California	36-44-12	119-47-11
56	Albany, New York	42-39-1	73-45-1
57	Little Rock, Arkansas	34-44-52	92-16-37
58	Knoxville, Tennessee	35-57-39	83-55-7
59	Richmond, Virginia	37-32-15	77-26-9
60	Tulsa, Oklahoma	36-9-12	95-59-34
61	Mobile, Alabama	30-41-36	88-2-33
62	Dayton, Ohio	39-45-32	84-11-43
63	Fort Myers, Florida	26-38-42	81-52-6
64	Lexington, Kentucky	38-2-50	84-29-46
65	Huntington, West Virginia	38-25-12	82-26-33
66	Flint, Michigan	43-0-50	83-41-33
67	Roanoke, Virginia	37-16-13	79-56-44
68	Tucson, Arizona	32-13-15	110-58-8
69	Wichita, Kansas	37-41-30	97-20-16
70	Green Bay, Wisconsin	44-30-48	88-0-50
71	Des Moines, Iowa	41-35-14	93-37-0
72	Toledo, Ohio	41-39-14	83-32-39
73	Honolulu, Hawaii	21-18-36	157-51-48
74	Springfield, Missouri	37-13-3	93-17-32
75	Omaha, Nebraska	41-15-42	95-56-14
76	Portland, Maine	43-39-33	70-15-19
77	Spokane, Washington	47-39-32	117-25-33
78	Rochester, New York	43-9-41	77-36-21
79	Paducah, Kentucky	37-5-13	88-35-56
80	Syracuse, New York	43-3-4	76-9-14
81	Columbia, South Carolina	34-0-2	81-2-0
82	Shreveport, Louisiana	32-30-46	93-44-58
83	Huntsville, Alabama	34-44-18	86-35-19
84	Champaign, Illinois	40-7-5	88-14-48
85	Madison, Wisconsin	43-4-23	89-22-55
86	Chattanooga, Tennessee	35-2-41	85-18-32
87	Cedar Rapids, Iowa	41-58-48	91-39-48
88	Harlingen, Texas	26-11-29	97-41-35
89	South Bend, Indiana	43-40-33	86-15-1
90	Jackson, Mississippi	32-17-56	90-11-6
91	Johnson City, Tennessee	36-19-4	82-20-56
	Burlington, Vermont/		
92	Plattsburgh, New York	44-28-34	73-12-46

93	Colorado Springs, Colorado	38-50-7	104-49-16
94	Baton Rouge, Louisiana	30-26-58	91-11-0
95	Waco, Texas	31-33-12	97-8-0
96	Davenport, Iowa	41-31-24	90-34-21
97	Savannah, Georgia	32-4-42	81-5-37
98	El Paso, Texas	31-45-36	106-29-21
99	Johnstown, Pennsylvania	40-19-35	78-55-3
100	Charleston, South Carolina	32-46-35	79-55-53